

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5 In re application of: Mooney, et al.)

Group Art Unit: 3763

Application No.: 09/329,002)

Examiner: LoAn H. Thanh)

Filing Date: June 8, 1999)

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For: MULTIPLE LUMEN ACCESS DEVICE)

Commissioner for Patents
Washington, D.C. 20231

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PRELIMINARY AMENDMENT

Dear Sir:

This amendment is the first in an RCE filed concurrently.

20 Responsive to the Final Office Action dated November 30, 2001, Applicants respectfully petition the Commissioner to reset the time for response because the Office Action was not received until March 15, 2002. A separate petition under Rule 182 is submitted concurrently by mail to explain the facts and request a time reset. A courtesy copy of the Petition is enclosed.

25 Please also note that an Information Disclosure Statement is being submitted concurrently by mail along with the Petition. A courtesy copy of the PTO-1449 sheet is enclosed.

Applicants respectfully request that the mailing date of the Office Action be reset to the date of its receipt, specifically to March 15, 2002. As a consequence, this response is mailed within two months of the reset date of the Office Action and the extension fee should not be charged to the deposit account. Therefore, no specific authorization for said fee has been given.

30 However, if the Examiner deems the extension fee to be necessary pending a decision on the Petition, a general authorization has been given. If the fee is charged, please notify the undersigned so that a refund can be requested if and when the Petition is granted.

IN THE CLAIMS:

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Please cancel claims 38-59.

Please amend the following claims.

#16C
ALVENS
5/3/02